

### **REMARKS**

Responsive to the Office Action mailed September 21, 2007, Applicant provides the following. No amendments have been made to the application or claims. Therefore, thirteen (13) claims remain pending in the application: Claims 1-6, 8-13, and 15. Reconsideration of claims 1-6, 8-13, and 15 in view of the remarks below is respectfully requested.

By way of this amendment, Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

### **Claim Rejections - 35 U.S.C. §103**

1. Claims 8 and 12 stand rejected under 35 U.S.C. § 103(a), as being allegedly unpatentable over U.S. Patent No. 6,695,141 to Cook et al. This rejection is respectfully traversed and reconsideration is requested.

As set forth at M.P.E.P. § 2143.01, a claim is *prima facie* obvious when, among other things, all elements recited in the claim are taught or suggested by the prior art. Applicant respectfully submits that Cook fails to describe or suggest all of the elements as recited in at least claims 8 and 12.

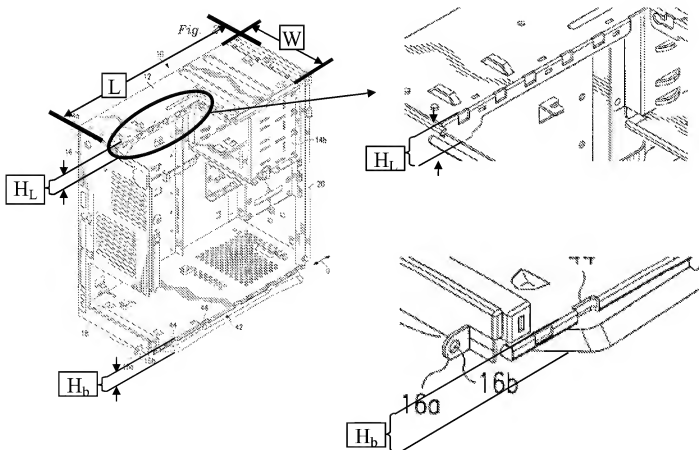
For example, claim 8 recites in part “wherein a rectangular volume of the joined first and second computer chassis is less than twice a rectangular volume of the first or second computer chassis.” The Cook patent does not describe or suggest at least joining two identical computer chassis such that the rectangular volume of the joined chassis is less than twice a rectangular volume of the first or second computer chassis.

First, as the office action admits on pg. 3, the Cook patent does not teach a second chassis. Further, there is no suggestion in Cook to cooperate two chassis as recited in claim 8, and Cook does not provide any motivation for cooperating two chassis as recited in claim 8. Second, Applicant respectfully submits that the office action fails to show any motivation for combining the chassis described in Cook with another chassis.

Third, the office action suggests that combining the chassis described in Cook with another chassis would result in “a rectangular volume (illustrated in modified fig. 2) of the

joined first computer chassis (12) and second computer chassis (12') is less than twice a rectangular volume of the first computer chassis (12)" (office action, pg. 3). However, the combination as suggested in the office action instead would result in a rectangular volume that is greater than twice a rectangular volume of one chassis.

Below is depicted Fig. 2 from the Cook patent (annotated by Applicant); zoomed in areas of two portions of the chassis shown in Fig. 2 from Cook; and the "modified fig. 2" as modified by the Examiner and incorporated in the pending office action mailed September 21, 2007:



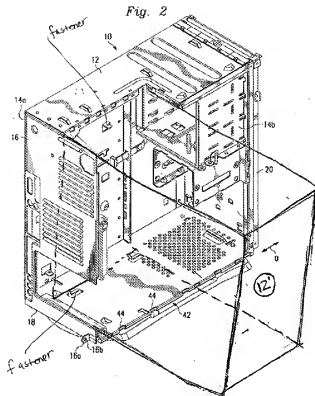


Fig. 2 as modified  
by Examiner

Initially, Applicant notes that a second computer chassis 12' of Cook could not fit into the interior of the "empty portion" of a first chassis 12. Specifically, the location of the first chassis 12 where the office action attempts to insert the second chassis 12' has a lip or portion extending down a distance " $H_L$ " (as labeled by Application above) parallel with the height of the chassis, and thus has an interior height of the chassis that is less than the exterior height of the chassis 12 and as such could not receive the "second chassis" 12'. Further, the chassis 12, and thus "second chassis" 12', has an extended base that extends a distance " $H_b$ " (as labeled by Applicant) below a lowest portion of an interior portion of the chassis. Thus, the "second chassis" 12' would not fit into the interior of the "first chassis" 12 as suggested in the office action, because the exterior height of the chassis is greater than the interior height. In instead, the "second chassis" 12' at best would extend above the first chassis by at least the height " $H_b$ " of the extended base (as labeled by Applicant) should one attempt to insert the lower portion of the "second chassis" 12' into the "first chassis" 12. Thus, the "second chassis" 12' could not be joined as recited in claim 1 with the "first chassis" 12, and further any rectangular volume of the

“joined” chassis would extend above the “first chassis” by at least the height “H<sub>6</sub>” increasing the total rectangular volume of the two chassis 12 and 12’.

Further, Applicant notes that the length “L” (as labeled by Applicant) of the Cook chassis in Fig. 2 is greater than the width “W” (as designated by Applicant). Therefore, the joined first and second chassis 12 and 12’ (assuming arguendo that they could be combined) as suggested in the office action) would not result in a rectangular volume of the joined chassis being less than twice a rectangular volume of the first or second computer chassis. Instead, the rectangular volume of the joined chassis would actually be greater than twice the rectangular volume of the chassis 12. Below is depicted is a simplified two dimensional representation of the first chassis 12 of Cook joined with a “second chassis” 12’ as suggested in the office action:



As can be seen, the area of the foot print of the “joined” first and second chassis is not less than twice the volume of one of the chassis, and the rectangular volume similarly is not less than twice the rectangular volume. Therefore, the “joined” chassis do not teach the invention as claimed as least with respect to claim 1.

Furthermore, Applicant respectfully submits that the chassis of the Cook patent is specifically intended to be used with components of predefined size, and thus, one skilled in the art would not alter the dimensions of the chassis described in the Cook patent as this would make the chassis unusable for its intended purpose of housing defined components. The Cook patent does not describe or suggest each of the limitations as recited in at least claim 8, and further the Cook patent as altered by the office action to suggest the joining of two chassis, which Applicant respectfully submits is not taught or suggested by Cook, does not teach each limitation as recited in at least claim 8. Therefore, a *prima facie* case of obviousness has not been established as the Cook patent fails to describe or suggest all of the elements recited in at least claim 8, and thus, Applicant respectfully requests the rejection be withdrawn.

Claim 12 depends from claim 8, and thus, claim 12 is also patentable over the applied Cook patent due at least to its dependency on allowable base claim 8. Further, the office action suggests that a “tab” extending from a rearward wall of the chassis can be equated with a “fastener” as claimed. Applicant has demonstrated above, however, that the second chassis 12’ could not fit into the interior of the first chassis 12, and thus, the second chassis 12’ would not interact with or cooperate with the “fastener” in the rear-wall of the first chassis 12. Further, the “fastener” designated on the bottom of the first chassis would also not cooperate with the base of the second chassis 12’ as the base has a smaller area than an area of the bottom of the interior of the chassis, and thus, the base would not cooperate with the “fastener” indicated by the office action.

Similarly, claims 9-11 and 13 depend from claim 8, and thus are also patentable due at least to their dependency on allowable base claim 8.

2. Claims 1-6, 9-11, 13 and 15 stand rejected under 35 U.S.C. § 103(a), as being allegedly unpatentable over the Cook patent in view of U.S. Patent No. 6,695,141 to Kropf et al. This rejection is respectfully traversed and reconsideration is requested.

Specifically, the combination of the Cook and Kropf patents fails to teach or suggest each limitation as recited in claim 1. For example, claim 1 recites in part:

joining the first and second computer chassis so that the empty portion of the first computer chassis receives at least a portion of the non-empty portion of the second computer chassis, wherein a rectangular volume of the joined first and second computer chassis is less than twice a rectangular volume of the first or second computer chassis” (emphasis added).

Applicant respectfully submits that the Cook patent nor the combination of the Cook and Kropf patents describes or suggests at least that joined first and second chassis results in a rectangular volume that is less than twice the rectangular volume of a single chassis. As Applicant demonstrated above, the Cook patent does not describe or suggest joining two chassis as suggested by the office action. Further, a second chassis (12’ as suggested in the office action) could not be inserted into the interior of the first chassis 12 because the interior height is less than the exterior height of the chassis. Still further, the cooperation of two chassis 12 and 12’ as suggested by the office action does not result in a rectangular volume of the joined chassis that is

less than twice the rectangular volume of a single chassis. Instead, joining two chassis 12 and 12' as suggested in the office action results in a rectangular volume that is greater than twice the rectangular volume of a single chassis.

The Kropf patent also does not describe or suggest joining two chassis as recited in claim 1 such that at least the rectangular volume of the joined chassis is less than twice the rectangular volume of one chassis. Further, Applicant respectfully submits that the combination of Cook and Kropf does not make claim 1 "inherently necessitated" (office action, pg. 4) as suggested in the office action. Instead, the combination simply describes a computer chassis of Cook (not two chassis, and not two chassis joined to achieve a rectangular volume that is less than twice a volume of one chassis), and packaging of computer components. There is nothing inherently necessary in the applied combination to suggest two chassis, or two chassis joined as recited in claim 1. Thus, the applied combination of the Cook and Kropf patents does not describe or suggest each element of at least claim 1 and a *prima facie* case of obviousness has not been established, and therefore, claim 1 and the claims that depend from claim 1 are patentable over the applied combination.

Independent claim 15 is also patentable over the applied combination of Cook and Kropf. More specifically, claim 15 similarly recites in part:

arranging the first and second computer chassis in a single chassis compartment of a pallet layout wherein a rectangular volume of the first and second computer chassis is less than twice a rectangular volume of the first or second computer chassis.

Again, the Cook patent and the Kropf patent fail to describe or suggest arranging two chassis such that the rectangular volume of the first and second chassis is less than twice the rectangular volume of the first or second chassis. Further, Applicant respectfully submits that the combination of Cook and Kropf does not make claim 15 "inherently necessitated" (office action, pg. 5) as suggested in the office action. Instead, the combination simply describes a computer chassis (not two chassis, and not two chassis joined to achieve a rectangular volume that is less than twice a volume of one chassis), and packaging of computer components. There is nothing inherently necessary in the applied combination to suggest two chassis, or two chassis joined as recited in claim 15. Applicant respectfully submits that the applied combination fails to describe

or suggest each limitation as recited in claim 15. Therefore, a *prima facie* case of obviousness has not been established, and thus, Applicant respectfully requests that the rejection be withdrawn.

Claims 2-6 depend from allowable claim 1, and thus are also patentable due at least to their dependency on allowable base claim 1.

Similarly regarding claims 9-11 and 13, Applicants have demonstrated above that claim 8 is also patentable over the Cook patent, and the Kropf patent does not describe or suggest those limitations as recited in claim 8 that are not taught by the Cook patent. Thus, claim 8 is patentable over the applied combination of Cook and Kropf. Claims 9-11 and 13 depend from claim 8, and thus are also patentable due at least to their dependency on allowable base claim 8.

### **CONCLUSION**

Applicant respectfully submits that the above remarks demonstrate that the pending claims are in condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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